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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,657	12/06/2001	Mathias Althin	12587-012001	8738

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EXAMINER

WANG, LIANG CHE A

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/010,657

Applicant(s)

ALTHIN ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-18 remain for examination.

#### ***Response to Arguments***

2. Applicant's arguments filed 4/25/2005, have been fully considered but they are not persuasive.

3. In that remarks, applicant's argues in substance:

- a. That: Fitzsimmons fails to teach retrieve data concerning a selected object and to transmit the data to a particular portable device in response to establishment of IR communication between the object server and the particular portable device (remarks page 7).

This is found not persuasive because Fitzsimmons does teach the claimed limitation retrieve data concerning a selected object (Page 3 paragraph 0032, main processor record user input and retrieves user selected content) and to transmit the data to a particular portable device (each device at the moment of receiving content is a particular device) in response to establishment of IR communication between the object server and the particular portable device (page 3, paragraph 0036; audio/video (A/V) server stores multimedia files that communicate wirelessly with the portable devices via its radio frequency (RF) capability).

- b. That: Fitzsimmons fails to disclose each limitation of claim 11. This is found not persuasive because Fitzsimmons does teach each limitation of claim 11, including retrieving requested information from a database of the central server based on the

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object identity (page 1 paragraph 0008, and page 3 paragraph 0032, and page 4 paragraph 0040; Fitzsimmons teaches a user is sending out request to retrieve requested information from the server based on the exhibit identification.)

- c. That: There is no disclosure in Fitzsimmons of transferring a code to the A/V server 542 that causes the A/V server to retrieve information about a particular object.

This is found not persuasive because Fitzsimmons does teach transfer a code to the A/V server 542 that causes the A/V server to retrieve information about a particular object (page 3 paragraph 39 – page 4 paragraph 40, when a user enters a specific exhibit area, the server would detect the portable interface device is located at a specific area (corresponding to transferring a code to the A/V server), and portable interface device will be provided with a gallery/exhibit identification code (information is retrieved about a particular object).)

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fitzsimmons, US Pub 2002/0068991 (Fitzsimmons hereafter).

6. As per claim 1, Fitzsimmons teaches a mobile guide communications system comprising:  
at least one portable device (fig. 3, page 2, paragraph 0029) including at least one display means, an infra-red (IR) communication unit (370, fig. 3, page 2, paragraph 0030) and a wireless communication unit (348, fig. 3, page 2, paragraph 0030; portable device communicates with the servers wirelessly using both its IR and radio frequency (RF) capabilities); a plurality of object servers (444, fig. 4; exhibit servers store exhibit information (represented by exhibit identification (ID) codes) to be presented to the user of the portable device via its IR capability), each object server associated with an object and including an IR communication unit configured to communicate with the portable devices (page 3, paragraph 0036., exhibit server has an infra-red sensor that communicates via infra-red with the portable device); and at least one central server (452, fig. 4., audio/video server) including a memory and a wireless communication unit configured to retrieve data concerning a selected object (Page 3 paragraph 0032, main processor record user input and retrieves user selected content) and to transmit the data to a particular portable device in response to establishment of IR communication between the object server and the particular portable device (page 3, paragraph 0036., audio/video (A/V) server stores multimedia files that communicate wirelessly with the portable devices via its radio frequency (RF) capability).
7. Claims 11, 13, and 15 are rejected for similar reasons as claim 1 addressed above.  
Fitzsimmons further teaches establishing an IR connection between a mobile terminal and a specific object server associated with a specific object', transferring a specific object identity code from a memory of the specific object server to the terminal over the

IR connection (page 4, paragraph 0040; upon establishing an IR connection between the exhibit server (object server) and the portable device when the device is within range of the server, the exhibit server sends the exhibit identification (ID) codes to the portable device that pertain to the exhibits that the user of the portable device are reviewing); establishing a wireless connection between the terminal and a central server (530, fig. 5; page 4, paragraph 0046., portable device also connects wirelessly via RF LAN to retrieve additional exhibit-related data from a plurality of content servers (A/V server (452, fig. 5), library content server (545, fig. 5), Internet web sites (570, fig. 5), etc); transferring the object identity code to the central sewer; retrieving requested information from a database of the central server based on the object identity code; transferring the retrieved information to the terminal; and presenting the information on a display of the terminal (page 4, paragraph 0047; as previously stated, exhibit server transmits exhibit ID codes to portable device via its IR capability', using these exhibit ID codes, portable device connects wirelessly (via RF LAN) to the content servers to retrieve additional exhibit-related data), and Fitzsimmons further teaches the object identification code causing retrieval of information concerning an object associated with the object identification code (page 1 paragraph 0008, lines 9-16), (page 3 paragraph 39 – page 4 paragraph 40, when a user enters a specific exhibit area, the server would detects the portable interface device is located at a specific area (corresponding to transferring a code to the A/V server), and portable interface device will be provided with a gallery/exhibit identification code (information is retrieved about a particular object).)

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8. As per claims 2-3, 12, 14, and 16, Fitzsimmons teaches the display means is capable of displaying at least one of a multimedia presentation (page 2, paragraph 0025); the portable device further comprises an Internet connection (570, fig. 5; portable device can access and retrieve additional exhibit-related data via world wide web (WWW) sites using Internet links).

9. Claims 4-10 and 17-18 recite similar limitations as claims 1, 11, 13, and 15; therefore, they are rejected for similar reasons as claims 1, 11, 13, and 15 addressed above.

Fitzsimmons further teaches the object server is located within a predetermined distance from its associated specific object (page 6, paragraph 0057; exhibit server communicates via IR with objects that are within its close physical proximity).

### *Conclusion*

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

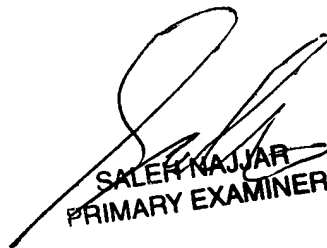
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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang   
July 22, 2005

  
SALEH NAJJAR  
PRIMARY EXAMINER